

REMARKS

Favorable reconsideration of this application is requested in view of the foregoing amendments and the following remarks. Claims 1-2 and 411 and 16 are pending in the application. Claim 3 is canceled without prejudice or disclaimer. Claims 12-15 and 17-94 were canceled without prejudice or disclaimer.

Independent claim 1 is amended to require modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation, wherein emitting is controlled at least in part by pulse modulated data. Support for this limitation is found in original claim 3. Claim 8 is rewritten in independent form.

At pages 2-3 of the Action, the Examiner objects to the drawings as not showing the gas plasma located between the integrated circuit and the optically and electronically conductive layer. Figure 3 has been amended to show the gas plasma located between the integrated circuit and the optically and electronically conductive layer. Specifically, the optically and electronically conductive layer 350 has been inserted above the induced gas discharge 344 that is magnetically coupled to an inductive coil 342 of an integrated circuit gas plasma discharge optical signal emitter. A suitable replacement sheet of drawings is filed herewith. The description has also been amended to describe the optically and electronically conductive layer 350.

Accordingly, withdrawal of this objection is respectfully requested.

At page 3 of the Action, the Examiner objects to claim 8. Claim 8 is amended as suggested by the examiner.

Accordingly, withdrawal of this objection is respectfully requested.

Claims 1-5, 7, 9 and 16 are rejected under 35 USC 102(e) as anticipated by Shoji et al. (US 6683418). As noted above, independent claim 1 has been amended to require modulating data using at least one pulse modulation technique selected from the group consisting of pulse

position modulation and pulse width modulation. At page 4 of the action, the examiner cites column 3, line 23 to column 4, line 8; Fig. 6a-6c, Fig. 8; column 5, lines 34-41; and column 7, line 33 to column 8, line 34 of Shoji as allegedly disclosing this limitation. However, none of these sections of Shoji disclose or suggest pulse modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation.

Accordingly, withdrawal of this rejection is respectfully requested.

Claim 6 was rejected under 35 USC 103 as obvious over Shoji et al. (US 6683418) in view of Lapadula et al. (US 4211834). Again, independent claim 1 has been amended to require modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation. Shoji and/or Lapadula do not disclose or suggest pulse modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation.

Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1 and 10 were rejected under 35 USC 103 as obvious over Hug et al. (US 4230902) in view of Willett (US 3798568). Again, independent claim 1 has been amended to require modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation. Hug and/or Willett do not disclose or suggest pulse modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation.

Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1 and 10 were rejected under 35 USC 103 as obvious over Abshire (US 4600299) in view of Silfvast et al. (US 4388720). Again, independent claim 1 has been amended to require modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation. Abshire and/or

Silfvast do not disclose or suggest pulse modulating data using at least one pulse modulation technique selected from the group consisting of pulse position modulation and pulse width modulation.

Accordingly, withdrawal of this rejection is respectfully requested.

At page 8 of the Action, the Examiner indicates that claim 8 would be allowable if rewritten to include all the limitations of the base claim and any intervening claims. Claim 8 is rewritten in independent form and this indication of allowable subject matter is very much appreciated.

Other than as explicitly set forth above, this reply does not include acquiescence to statements in the Office Action. In view of the above, all the claims are considered patentable and allowance of all the claims is respectfully requested. The Examiner is invited to telephone the undersigned (at direct line 928-226-1073) for prompt action in the event any issues remain that prevent the allowance of any pending claims.

In accordance with 37 CFR 1.136(a) pertaining to patent application processing fees, Applicant requests an extension of time from August 28, 2006 to October 28, 2006 in which to respond to the Office Action dated July 28, 2006. A notification of extension of time is filed herewith.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3204 of John Bruckner PC.

Respectfully submitted,

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